

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,

Plaintiff,

v.

CDCR, et al.,

Defendants.

No. 2:20-cv-1123 KJM CKD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 23, 2021, the magistrate judge filed findings and recommendations, which were served upon plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed September 23, 2021, are adopted in full;

2. All claims and defendants other than 1) claims arising under the Eighth Amendment against defendants Dania, Musgrave and Temple for either causing plaintiff not to receive or denying plaintiff any food for a period of 4 days and 2) claims arising under the First Amendment based upon retaliation for protected conduct against defendants Dania, Musgrave and Temple are dismissed;

3. Plaintiff's request for judicial notice in his December 20, 2021 objections to the magistrate judge's findings and recommendations is denied; and

4. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

DATED: October 26, 2022.

  
CHIEF UNITED STATES DISTRICT JUDGE